

State House Advocate



ALABAMA STATE

This Week at the Legislature

June 3, 2019

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Recap of Legislative Week

The 2019 Regular Legislative Session has come to a close! The Alabama House and Senate adjourned sine die. The Alabama Legislature met four days last week to complete their work on the education trust fund and general fund budgets. After both budgets were referred to conference committees to resolve differences between the House and Senate versions, the conferees met and worked out their compromises, reported those changes back to their respective bodies, which passed the budgets and went to Governor Ivey for her signature.

Click [here](#) to read HB152 General Fund Budget.

Click [here](#) to read SB199 Education Trust Fund Budget.

We worked to stop legislative proposals that would have been detrimental to municipalities and were successful in the passage of several other proposals for our members. We wish to express our appreciation to those sponsors for working with

us on these bills.

Partners in Advocacy

We wish to thank several individuals that work with us throughout the legislative session on behalf of municipal governments. We met weekly during the legislative session to coordinate messaging, advocacy strategies and share vital information to ensure our successes. These folks work tirelessly in representing your interest at the Alabama Statehouse. Please join me in thanking these individuals, Hal Bloom, Allen Sanderson, Martin Christie, Maeci Walker, Greg Jones, Steve Raby, Beth Marietta Lyons, Earl Hilliard, Jr., David Dorton, Caitlin Williams, Beth Chapman, Mark Gains, Blake Hardwich, Britton Bonner, John Guthrie, Jeff Miller, Dax Swatek, Phillip Bryan, Josh Blades, Dave Stewart, Mike Cole, Daryl Perkins, Stephanie Norrell, Charles Long, Marcus Paramore and Jon Hand.

We also wish to recognize the work of our legal team in assisting us during the legislative session. They provide us with legal resources, draft proposals and amendments throughout the year. Thank you Ken Smith, Lori Lein, Rob Johnston, Tenee Frazier and Sharon Carr.

Bills of Interest to Municipal Governments

Please take the time to share your appreciation to your local legislators. When you consider the weight of issues considered this year between the regular and special sessions, municipal governments experienced an incredible year. It's important that legislators know how much we appreciate their partnership in the development of policies affecting our citizens.

Fire Fighter Cancer Benefit – Passed by Legislature

HB360 by Rep. Pettus & Senator Gudger requires each municipality to provide full time certified fire-fighters with a cancer supplemental benefit policy to provide out of pocket expense coverage and disability pay. The fire chiefs and League staff worked countless days structuring this supplemental policy to provide extra benefits to firefighters while remaining fiscally responsible for our municipalities. We expect these policies to cost approximately \$200 annually per firefighter.

Click [here](#) to read HB360.





L to R: Kayla Bass, League Public Affairs Associate, Rep. Pettus, Senator Gudger, Greg Cochran, League Deputy Director.

Tier II Retirement Benefits for ERS Employees – ACT 2019-132

SB147 by Senator Waggoner & Rep. Ledbetter allows municipal and county governments wishing to enhance the retirement benefits of their Tier II employees to elect those to participate under the Tier I program under certain circumstances.

Click [here](#) to read SB147.

RV Parks Lodgings Taxes – Passed by Legislature

SB308 by Senator Allen amends the transient lodgings tax liability on RV parks. Senator Allen agreed to an amendment offered by tourism and municipalities to limit the transient lodgings tax on motor homes to 90 days. All other lodgings, hotels, motels, camp grounds, marinas will be required to collect up to 180 days. Codifying camp grounds and marinas in SB308 clarifies their responsibility to collect and remit these lodgings taxes.

Click [here](#) to review SB308.

Council Manager form of Municipal Government – Passed by Legislature

HB286 by Rep. Faulkner & Senator Waggoner further clarifies that a municipality must have an election to change its form of government from mayor-council to council manager.

Click [here](#) to read HB286.

Municipal Elections – Passed by Legislature

HB16 by Rep. Hill requires voters to register within 14 days of a municipal election. This brings the requirement in consistency with county and state elections.

Click [here](#) to read HB16.

Rural Broadband Deployment – ACT 2019 - 326

HB400 by Rep. Shedd & Senator Scofield allows the electric utilities to utilize their existing infrastructure to deploy broadband technology across Alabama.

Click [here](#) to read HB400.

Broadband Internet Grants – ACT 2019 - 327

SB90 by Senator Scofield establishes grant funds for the deployment of broadband internet in unserved and underserved areas of the state.

Click [here](#) to read SB90.

Ethics Law Filings for Economic Developers – ACT 2019-52

HB289 by Rep. Baker exempts economic developers from the definition of lobbyist in certain circumstances as it pertains to the Alabama ethics law filings.

Click [here](#) to read HB289.

Financial Institution Excise Tax Reforms – ACT 2019-284

HB419 by Rep. South & Senator Smitherman creates an improved process for the distribution of FIET revenues from the banking community to municipalities and counties.

Click [here](#) to read HB419.

Bail Bonds Regulatory Act – Passed by the Legislature

HB565 by Rep. England & Senator Williams creates the Alabama Bail Bond Regulatory Act to license bondsmen and recovery agents and provide continuing education.

Click [here](#) to read HB565.

Simplified Sellers Use Tax – Passed by the Legislature

SB153 by Senator Melson & Rep. Scott updates amnesty and class action provisions against online out of state retailers. SB153 also establishes 25% of county SSUT funds to be appropriated to local school boards.

Click [here](#) to read SB153.



L to R: Rep. Scott, Greg Cochran, ALM Deputy Director and Senator Melson.

Asset Forfeiture – Passed by the Legislature

SB191 by Senator Orr requires the Alabama Attorney General to establish and maintain a case tracking system for recording property seized and forfeited by local law enforcement.

Click [here](#) to read SB191.

Unemployment Compensation Benefits – ACT 2019-204

SB193 by Senator Orr revises the maximum amount paid to an individual based on the state's average unemployment rate, revises maximum weekly benefits rates and establishes terms for losing benefits due to disqualification.

Click [here](#) to read SB193.

Recap of Special Session

Governor Ivey called a Special Session of the Alabama Legislature to focus on

infrastructure funding immediately following her State of the State address, after the first day of the Regular Session. The legislature promptly considered three bills to address the lack of adequate funding for our local and state infrastructure.

- HB1 strengthens the powers of the Permanent Joint Transportation Committee.
- HB2 established a new 10 cent motor fuel tax to be implemented over the next three years.
- HB3 established funding for the enhancement of the Port of Mobile.

Each of these bills created additional revenues and economic opportunity for our municipalities across Alabama. We appreciate the work by Governor Ivey, Speaker McCutcheon, Senate Pro Tem Del Marsh, Rep. Bill Poole & Senator Clyde Chambliss for enacting this legislation in five legislative days with more than 80% support of the legislature.

Bills the League Opposed That Failed to Receive Final Passage

- **SB202 by Senator Orr** would have required a municipality to follow the same procedures required of a county before entering into a bond financing agreement and would have required completion of a government bond financing review form developed by the Department of Examiners of Public Accounts.
- **SB23 by Senator Elliott** would have frozen the current police jurisdictional territories around the state and would have removed all building code enforcement authority in the police jurisdictions and amended the planning jurisdictional authority.
- **SB268 by Senator Orr** would have created the Inland Port and Intermodal Fund and funded it by diverting \$10 million annually from the newly adopted motor fuel tax revenues.
- **SB264 by Senator Orr** would have given small cell deployment providers preemption of local rights of way authority, capped fees and allowed for exemptions for placement of this technology. The small cell providers worked with legislators in adopting a resolution creating the Advanced Small Wireless Deployment Task Force. **SJR92** creates the task force comprised of three members of the Senate and three for the House of Representatives to meet and provide proposed legislation to the leadership on October 1, 2019.
- **SB289 Senator Melson** would have created a fireworks preemption from local ordinances.
- **HB135 by Rep. Polizos** would have enacted subsistence allowance for municipal firefighters, EMA and law enforcement officers.
- **HB2 by Rep. Haynes** would have created a Workers' Compensation Cancer Presumption as an Occupational Disease for firefighters.
- **HB346 by Rep. Ledbetter** would have preempted any municipality from adopting ordinances against single use consumer products.
- **HB438 by Rep. Pettus** would have required municipalities and counties to provide additional compensation to law enforcement officers injured while on

duty.

- **SB19 by Senator Allen** would have preempted RV parks, campgrounds and marinas from collecting and remitting lodging taxes.
- **SB237 by Senator Ward** would have revised the procedures for access of public records, provided for fees, and created the Office of Public Access Counselor in the Department of Examiners of Public Accounts.
- **SB307 by Senator Allen** would have allowed businesses to exempt excise tax collections from the municipal business licenses gross receipts calculations.
- **SB305 by Senator Holley** would have required any municipality wanting to adopt an occupational tax to seek legislative approval before enacting. We wish to extend a special thanks to the House Members voting against the adoption of the procedural BIR to prevent consideration of SB305: Speaker McCutcheon, Alexander, Ball, Blackshear, Boyd, Bracy, Brown (K), Clarke, Coleman, Daniels, Drake, Drummond, Easterbrook, Ellis, England, Farley, Faust, Fincher, Givan, Gray, Grimsley, Hall, Hanes, Hatcher, Hill, Hollis, Holmes, Hurst, Isbell, Jackson, Jones (S), Lawrence, Ledbetter, Lipscomb, McCampbell, McClammy, McMillan, Moore (M), Moore (P), Morris, Rafferty, Reynolds, Robertson, Rogers, Rowe, Sanderford, Shaver, Stringer, Wadsworth, Warren, Wheeler, Whitt, Wingo, & Wood (D).

Monday Morning Huddles – Legislative Recap

Monday morning conference calls at 10:00 am with League advocacy staff to discuss the pending issues being considered by the Alabama Legislature during the Legislative session. These calls will provide you the most up to date information on the issues being acted on by the legislature, strategies for coordinated advocacy and messaging by your league advocacy staff. This will be the FINAL Monday Morning Call of the 2019 Regular Session.

1-800-724-2485

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For a complete list of bills we are tracking, click [here](#).

GRASSROOTS ADVOCACY LINKS

- [League Legislative Page](#)
- [Grassroots Advocacy](#)
- [Bills of Interest](#)
- [ALISON](#)
- [Governor's Office](#)
- [Contacts for the House](#)
- [Contacts for the Senate](#)



Should you have any questions of legislation or need additional information please contact:

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